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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,026	07/10/2001	Suhayya Abu-Hakima	8303/3	9283

7590 03/15/2004  
Baniak Pine & Gannon  
Suite 1200  
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EXAMINER

HANNE, SARA M

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 03/15/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

00/902,026

Applicant(s)

SUHAYYA ABU-HAKIMA

Examiner

Sara M Hanne

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

PRIMARY EXAMINER

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## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-5 and 8-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Wical, US Patent 6460034.

As in Claims 1 and 8, Wical teaches a viewing system and corresponding method including a concept recognizer configured to recognize concepts and/or themes associated with the content of documents input from a source

("processing a plurality of documents to identify said themes for a document", Column 33, Claim 3), and a prioritization analyzer to order the concepts or themes according to their priority ("ranking said theme groups", Column 33, Claim 7). Wical further teaches a viewing component that presents on the display concept identifiers for a concept or theme recognized according to a directed network configuration based on priority ordering (Figure 9c).

As in Claims 2 and 9, Wical teaches the leaf nodes of the hierarchy to represent one electronic document (Fig 11A-2, and "displaying theme groups and associated document names", Column 16, lines 63-64).

As in Claims 3 and 10, Wical teaches the priority ordering to be done according to the user's priorities ("the theme groups are ranked based on the relevance of the theme groups to the query.", Column 3, lines 12-13).

As in Claims 4 and 11, Wical teaches an input document processing component that will output a static document map corresponding to the input document ("Document theme vector", Ref 160).

As in Claims 5 and 12, Wical teaches a highlighter component to identify key content of the input document based on the document map ("to select at least one document relevant to said at least one query term; identifying said themes stored for said at least one document selected;", Claim 1, Columns 32-33).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wical, US Patent 6460034 and further in view of Hyatt, US Patent 6678692.

In reference to Claims 6 and 13, Wical teaches identification of key content within an input document and creation of a static document map for creating a hierarchical configuration based on user's priorities and identified concepts (see rejections *supra*). While Wical teaches the viewer system and method for creating the hierarchy, recognizing concepts and themes, creating document maps and identifying key content, Wical fails to show displaying a predetermined amount of key content for a document corresponding to a leaf node selected to be displayed when the cursor is positioned by the user in the area of the node as recited in the claims. In the same field of the invention, Hyatt teaches a hierarchy configuration method similar to that of Wical. In addition, Hyatt further teaches displaying a predetermined amount of data for the node with which the cursor position corresponds ("provide a supplementary 'bubble' of information on the display when a mouse cursor is positioned on a node of interest", Column 13, lines 26-28). It would have been obvious to one of ordinary

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skill in the art, having the teachings of Wical and Hyatt before him at the time the invention was made, to modify the viewer system and method for creating the hierarchy as taught by Wical to include the proximity selection of nodes to display a given amount of key data of Hyatt, in order to obtain a preview for a node document that may be in consideration by the user. One would have been motivated to make such a combination because a method for previewing the information without opening the document would have been obtained so as to determine whether or not the user is interested in the document, as taught by Hyatt.

In reference to Claims 7 and 14, Wical teaches a concept learner that creates new knowledge pertaining the to the user based on data sensed from the system's environment for input to a user's data knowledge base ("the learning processing 165 disambiguates the context of a term by assigning a category for terms and themes previously unclassified", Column 6, lines 52-54).

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**Conclusion**

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar hierarchical configurations and file management techniques.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

smh

BA HUYNH  
PRIMARY EXAMINER